

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

Criminal No. 1:05-cr-10074-PBS

CHARLES CARRINGTON

MOTION TO SUPPRESS STATEMENTS

Now comes the Defendant, Charles Carrington, by and through his attorney, Mark W. Shea of Shea, LaRocque & Wood, LLP, and moves the Court for an Order suppressing any and all statements made by the defendant on or after December 28, 2004 either at the scene of the seizure and search of the defendant in the vicinity of Centre Street and Robinwood Avenue, Jamaica Plain, Massachusetts, or at or while being transported to the Boston Police Department District 13 station.

In support of the foregoing, the defendant states that law enforcement authorities questioned him in violation of the Fifth Amendment to the U.S. Constitution, and denied him his rights under Miranda v. Arizona, 384 U.S. 436, 467, 473 (1966), and that the statements he gave to law enforcement authorities were not voluntary, intelligent and knowing. Additionally, any earlier statements made prior to being given his Miranda rights tainted any post-Miranda statements.

WHEREFORE, the defendant prays that the Court issue an order suppressing the aforesaid evidence for the reasons set forth herein and in any memorandum of law later submitted by counsel; and for such other and further relief as to the Court seems just.

The defendant requests an evidentiary hearing on this motion.

CHARLES CARRINGTON
By his attorney,

/s/ Mark W. Shea

Mark W. Shea
47 Third Street, Suite 201
Cambridge MA 02141-1265
617.577.8722 (tel)
617.577.7897 (fax)
mwshea@slrw.net